



UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

GENERAL MOTORS CORPORATION and
ADAM OPEL GmbH;

Plaintiffs,

-against-

FIAT S.p.A; FIAT AUTO HOLDING B.V.;
and FIAT AUTO S.p.A.,

Defendants.

INDEX NO. 08 CV 4999 (DAB)

**STIPULATION AND [PROPOSED] ORDER
EXTENDING TIME TO RESPOND TO
DEFENDANTS' MOTION TO STAY OR
DISMISS ACTION AND SETTING BRIEFING
AND ARGUMENT SCHEDULE ON RELATED
CROSS-MOTION**

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned parties,
through their respective counsel of record, as follows:

1. On May 30, 2008, Plaintiffs filed the Complaint for Declaratory and Injunctive Relief in this action (the "Complaint").
2. On July 23, 2008, Defendants filed a Motion to Stay or Dismiss this Action, together with an accompanying Memorandum of Law in support thereof and the Affidavits of John L. Hardiman and Paolo Bottini.
3. The date for Plaintiffs to file opposition to the Motion to Stay or Dismiss shall be extended by 16 days, to August 22, 2008.
4. Plaintiffs intend to file a cross-motion for judgment on the pleadings or, in the alternative, for summary judgment pursuant to Fed. R. Civ. P. 12(d). Any such cross-motion also shall be filed on August 22, 2008.
5. Defendants shall file a combined opposition to Plaintiffs' cross-motion and reply in support of the Motion to Stay or Dismiss on September 22, 2008.

6. Plaintiffs shall file their reply in support of the cross-motion on October 6, 2008.

7. ~~The parties request that oral argument on the Motion to Stay or Dismiss and on Plaintiffs' cross-motion be held, at the Court's convenience, during the week of October 20,~~

~~2008.~~

DAB/
DENIED
08/11/08

Dated: August __, 2008

Respectfully submitted,

By: Digitally signed by Roger B. Mead
DN: cn=Roger B. Mead, c=US
Date: 2008.08.06 09:50:23 -0700

Roger B. Mead (RM2676)

FOLGER LEVIN & KAHN LLP
Embarcadero Center West
275 Battery Street, 23rd Floor
San Francisco, CA 94111
(415) 986-2800

Attorneys for Plaintiffs
General Motors Corporation And Adam Opel
GmbH

By: John L. Hardiman / A.S.
John L. Hardiman (JH3872)

SULLIVAN & CROMWELL LLP
1 New Fetter Lane
London, EC4A 1AN, United Kingdom
011-44-20-7959-8900

-and-

125 Broad Street
New York, NY 10004
(212) 558-4000

Attorneys for Defendants
Fiat S.p.A., Fiat Auto Holding B.V., and Fiat
Auto S.p.A.

SO ORDERED:

Dated: August 11, 2008

By: Deborah A. Battis
United States District Judge

38006\2006\612247.2